REMARKS

Presently, claims 6-18 are pending in the application. Claims 1 and 3-5 have been canceled. Claims 6-14 have been allowed. New independent claims 15-18 have been added to alternately recite the present invention. Support for new independent claim 15 may be found, for example, at page 10, lines 21-24 of the specification and Figs. 2-3. Support for new independent claim 16 may be found, for example, at page 17, lines 6-10 of the specification and Figs. 5-6. Support for new independent claim 17 may be found, for example, at page 24, lines 7-15 of the specification and Figs. 9-10. Support for new independent claim 18 may be found, for example, at page 30, lines 3-8 of the specification and Figs. 14-16. Accordingly, no new matter has been added by the foregoing amendments.

Prior Art Rejection -- § 103(a)

The Examiner has rejected claims 1 and 3-5 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,567,175 B1 to Lee ("Lee") in view of U.S. Patent No. 5,960,166 to Brown, III *et al.* ("Brown"). The Examiner contends that Lee teaches all features of the present invention, with the exception of the environments of the computer and the printer including a free memory size of the computer and printer for storing a size of the image data, and the selected printer driver processing the print data generated from the application so that the printer receives and processes the processed print data. The Examiner further contends that Lee teaches an integrated transmit receive device which senses an operation state of the computer, thereby rendering obvious a free memory size of the computer and printer for storing a size of the image data as an operational state in Lee's printing system. The Examiner further contends that Brown teaches that printer drivers from the host computer process the print generated from the application program so that the printer processes the received print data from the printer driver. The Examiner concludes that it would have been obvious to one of ordinary skill in the art to modify the printer drivers of Lee to process the print data from the application before transmitting to a printer as taught by Brown. Applicant respectfully traverses this rejection.

Claims 1 and 3-5 have been canceled. Accordingly, the Examiner's § 103(a) rejection with respect to these claims is moot.

With respect to new independent claims 15-18, Applicant respectfully submits that the combination of Lee and Brown does not result in the claimed invention. Reconsideration and withdrawal of the Examiner's rejection of claims 1 and 3-5 are respectfully requested.

Lee teaches a computer printing system for changing a printer driver. Lee's system includes a computer 80 with a storage device 20 having an integrated printer driver 25 including a plurality of printer drivers 20a, 20b and 20c depending on the type of operating system. Lee further teaches a control unit 10 which includes a printer driver calling device 215 for searching and choosing one of the plurality of printer drivers 20a, 20b and 20c. The control unit 10 generates control signals which in turn select one of the printer drivers. The control signals are determined based on "information about the state of the computer 80 and the printer 50 (e.g. a storage device overflow error, a band error, a paper jam, and a no-response to application program error, etc.)" (see col. 5, lines 26-28 of Lee). If printing errors occur when using the initially selected printer driver, the control unit 10 receives additional information about the state of the computer 80 and printer 50 and inputs additional control signals into the printer driver calling device 215 to call a second printer driver 20b in an attempt to overcome the error. Lee teaches that the initial setting of the printer driver may be performed by the computer or an operator.

Independent claim 15 of the present invention recites, in relevant part:

> A printing system comprising:
>
> a computer and a printer, said computer including a plurality of printer drivers respectively corresponding to different emulations; and
>
> a printer driver selecting section which performs a comparison <u>on the basis of at least an image data size, a free memory size of said computer and a free memory size of said printer, and selects one of said plurality of printer drivers based on a result of said comparison</u> . . . (emphasis added)

Lee does not teach or suggest each feature of independent claim 15. In Lee, the control unit 10 chooses one of the plurality of printer drivers 20a, 20b and 20c corresponding to the control signals generated by the control unit 10. The control signals are determined based on an operational state of the computer 80 and printer 50. In contrast, the printer driver in claim 15 is

9

selected based on a comparison "on the basis of at least an image data size, a free memory size of said computer and a free memory size of said printer." Lee does not teach or suggest printer drivers and/or control signals which are selected or changed based upon any comparison or that the selection of such printer drivers is related to image data size and free memory size of both the printer and computer. On page 4 of the Office Action the Examiner contends that Lee's interface device 200, which senses an <u>operation state</u> of the computer, renders obvious the inclusion of image data size and free memory size as operation states, and thus as features upon which the printer drivers are selected. However, the examples provided by Lee of "information about the state of the computer 80 and printer 50" (i.e., the "operational states") include a "storage device overflow error, a band error, a paper jam, and a no-response to application program error, etc." Such examples are all functional, operational <u>states</u> (e.g, on, off, working, not-working) or finite criteria of the system in question. Features such as image data size and a free memory size recited in claim 15 are clearly not "operational states" of a computer and/or printer, but rather are <u>settings, capabilities or specifications</u> of the system. Therefore, Lee's control signals based on <u>operational states</u> of the computer/printer do not teach or suggest printer drivers based on settings or capabilities of the system. As such, these elements of claim 15 are not obvious in view of Lee's teachings since Lee lacks a teaching of these elements altogether. Furthermore, Lee does not teach or suggest that the selection of printer drivers results from a <u>comparison</u> among these features.

Moreover, as shown in Fig. 4 of Lee, Lee teaches a printing system where a second printer driver is selected if the first selected printer driver produces an error (e.g., an undesirable "operational state"), or is otherwise the incorrect printer driver for the desired application. In contrast, independent claim 15 recites a printing system where the printer driver selecting section "performs a <u>comparison</u> on the basis of at least an image data size, a free memory size of said computer and a free memory size of said printer." The printer driver selected according to the present invention is determined directly as a result of this <u>comparison</u> of detected <u>settings or capabilities</u> of the system. Thus, the present invention does not select a printer driver on the basis of an error of the computer or printing system, but rather is designed to always select the correct printer driver. Accordingly, Applicant respectfully submits that Lee does not teach all of the features of independent claim 15.

Although the teachings of Brown may be in the same field of endeavor as those of Lee, Brown does not teach the elements of claim 15 which are not taught or suggested by Lee. Brown teaches using high level page description language to convey page information from the host computer to the printer controller in situations where conventional printer drivers do not produce the required data in bit map format. However, Brown does not teach or suggest "a printer driver selecting section which performs a comparison on the basis of at least an image data size, a free memory size of said computer and a free memory size of said printer, and selects one of said plurality of printer drivers based on a result of said comparison." Accordingly, Applicant respectfully submits that the combination of Lee and Brown does not teach or suggest all of the elements of independent claim 15 to result in Applicant's invention. Therefore, claim 15 is believed to be allowable over the combination of Lee and Brown.

Independent claim 16 recites "a data transfer speed determining section which determines a data transfer speed when image data is transferred from said computer to said printer; and a printer driver selecting section which selects one of said plurality of printer drivers on the basis of the size of said image data, a free memory size of said printer and said data transfer speed." For the same reasons discussed above with respect to independent claim 15, neither Lee nor Brown teaches this element of claim 17. Accordingly, independent claim 16 is believed to be allowable over the combination of Lee and Brown.

Independent claim 17 recites "a drawing capability determining means which determines a computer drawing capability and a printer drawing capability when image data is draw-processed respectively by said computer and said printer; and a printer driver selecting section which selects one of said plurality of printer drivers on the basis of the determined computer drawing capability and the determined printer drawing capability." For the same reasons discussed above with respect to independent claim 15, neither Lee nor Brown teaches this element of claim 17. Accordingly, independent claim 17 is believed to be allowable over the combination of Lee and Brown.

Independent claim 18 recites "an intermediate metafile generating section which generates an intermediate metafile from image data; an intermediate metafile analyzing section which analyzes an evaluation size of the generated intermediate metafile; and a printer driver selecting section which selects one of said plurality of printer drivers on the basis of the analyzed evaluation size and a free memory size of said printer." For the same reasons discussed above

with respect to independent claim 15, neither Lee nor Brown teaches this element of claim 18. Accordingly, independent claim 18 is believed to be allowable over the combination of Lee and Brown.

Allowable Subject Matter

The Examiner has allowed claims 6-14. Applicant thanks the Examiner for this indication of allowable subject matter.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully submits that the Examiner's rejection has been overcome, and that the application, including claims 6-18, is in condition for allowance. Reconsideration and withdrawal of the Examiner's rejection and an early Notice of Allowance are respectfully requested.

Respectfully submitted,

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